

Having read comments from other commenters with convincing data, and having had personal “real world” experience, Bishop now believes full power stations and previously authorized secondary services should be protected well beyond the 54 dBu contour. If a contour is chosen, it should be at least the 37 dBu. Ultimately the evidence shown by some commenters show no contour should be chosen. Bishop now supports that proposal and that full-service and already authorized secondary services should have protection anywhere the signal is listenable.

E. Non-Substantive Updates

Bishop continues to support the changes in wording that the relevant rules apply to all full service stations and previously authorized secondary service stations. With the number of new translators recently authorized there is more likely to be “actual” interference issues between two translators rather than a full-service FM and a translator. AM licensees are depending on these translators to revitalize their stations. This wording gives translator licensees some level of protection without designating translators as primary services.

F. Alternative and/or Additional Approach

In his initial comments, Bishop proposed that, as part of this rulemaking Class A and Class B1 FM stations should be allowed to locate translators so the predicted 60 dBu of the translator does not go beyond the predicted 54 dBu of the primary station. Given the preponderance of evidence provided by other commenters that a significant amount of listeners fall outside the 54 dBu contour, Bishop now proposes that Class A and Class B1 FM’s be allowed to locate translators so the translator’s 60 dBu contour does not go beyond the predicted 48 dBu contour of the primary station. Currently Class A FM’s are limited to locating translators within their 60 dBu signals and Class B1 FM’s within their 57 dBu. Specifically this proposal would help Class A FM’s that are starting to get “lost in the shuffle”. The recent “25 mile rule” that allows AM stations to locate translators so their predicted 60 dBu contour does not exceed 25 miles, or 40 kilometers, now gives AM stations a 12 kilometer advantage over Class A FM’s. Bishop proposes “leveling the playing field” when determining where stations may locate translators and believes it should be part of this rulemaking as opposed to any separate rulemaking.

As an example, Bishop owns WBKX in Fredonia, NY. The station has received several complaints over the past few months of interference from translator W243DX in Buffalo, NY. However, the interference is not consistent. Due to our proximity to Lake Erie and changing weather conditions, translator propagation can vary significantly. Bishop has personally heard interference from W243DX well into the WBKX 54 dBu contour and sometimes into our protected 60 dBu. Other times Bishop has driven in that area he has not observed any interference in those contours at all. It is very weather dependent. The average listener will simply change the station and may never come back. If we could promote an alternative frequency (translator) that serves out to the 54 dBu contour, W243DX could continue to operate and we could keep our listeners. Therefore Bishop modifies his proposal in his original comments to allow Class A and Class B1 FM stations to locate translators so the 60 dBu contour of the translator does not go beyond the 48 dBu of the primary station. In no way, however, does Bishop propose should full power stations or already authorized secondary services relinquish their rights to remedy interference under current or adopted translator interference rules.

Respectively Submitted,

Alan Bishop  
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